IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.1061 OF2005

IN

CRIMINAL APPEAL NO. 168 OF 2005

Shantilal Shirlal jain)
and another) ..... Appellants.

versus

The State of Maharashtra ..... Respondents.

.....

Shri Shirish Gupte i/b. M.K.Kocarekar for the appellant
Mrs. P.H.Kantharia APP for the state.

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CORAM ; V.G.PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DATED; 4TH APRIL, 2005.

P.C.;

1. By this application, the applicants seek bail on the ground that the FIR was lodged after investigation and admittedly the death has occured because of fists blows given on the various parts of the body.

2. During the pendency of the trial itself the accused persons were on bail and there is nothing on record to show that the bail then granted was in any manner misused by the accused.

3. Now that the conviction is recorded by the learned trial Judge. Grant of bail is opposed on the ground that the accused having been convicted under section 302 IPC does not deserve any leniency in the matter of bail. Taking into consideration the fact that the accused were on bail during the pendency of trial which lasted for ten years and nothing untowards was done by the accused while on bail, no fruitful purpose will be served by continuing their detention pending the appeal. Hence they be released on bail in the sum of Rs. 25,000/-each with two sureties.

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